HIGH COURT OF JUDICATURE CHHATTISGARH : BILASPUR

SINGLE BENCH: Hon'ble Shri S.R. Nayak, CJ

Writ Petition No. 389 OF 2006

PETITIONER Smt. Sarabjeet Kaur Randhawa, W/o Shri Narendra Pal Singh Randhawa, aged about 30 years, R/o Ravigram, Telibandha, Raipur, Distt. Raipur (C.G.)

Versus

RESPONDENTS

1. State Transport Appellate Tribunal, Raipur (C.G.)
2. Regional Transport Authority Chhattisgarh, at Raipur.
3. Secretary, R.T.A. Raipur (C.G.)
4. Chhabra Bus Service, Mowa Town, Pandri, Distt. Raipur (C.G.)

Present:

Shri Santosh Gupta, learned counsel for the petitioner.

Shri Sanjay S Agrawal, learned Govt. Advocate for the State.

ORAL ORDER
(Passed on 24th of January 2006)

In this writ petition, the temporary permit on the route Raipur to Saraipali via Arang, Pithora for the period of one month starting from 01-01-2006 in favour of the 4th respondent is assailed by the petitioner who is holding a regular permit bearing permit No. 105/05 on the same route on the ground that the Regional Transport Authority ought to have issued notice to the petitioner and heard him in the matter and also on the ground that the order of the Secretary, R.T.A. is not speaking order. It is well settled that while granting permits whether on regular basis or

temporary basis, the paramount consideration for the authority is to consider interest of the traveling public and not interest of the operators. It is not that the Secretary, R.T.A. has granted temporary permit under Section 87 of the Motor Vehicle Act 1988 in favour of the 4th respondent at the same time assigned to the petitioner. Admittedly, the time assigned to the petitioner is 10 minutes ahead of the time assigned to the 4th respondent. Nothing is placed before the Court or the authorities below by the petitioner to show that the temporary permit granted in favour of the 4th respondent and time assigned to him would be prejudicial to the interest of the traveling public. Even assuming that the grant of temporary permit in favour of the 4th respondent at the time assigned to him would be prejudicial to the interest of the petitioner, that fact itself would not be a justification for this Court to upset the decision taken by the Secretary, R.T.A. in the interest of the traveling public. Moreover, the temporary permit granted in favour of the 4th respondent would come to an end by the end of this month. Therefore, writ petition is dismissed. No costs.

Sd/-
The Chief Justice